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NATIONAL TRUST COMPANY; HSBC BANK
USA, N.A.; HSBC MORTGAGE CORP. USA;
MERSCORP, INC.; and MORTGAGE
ELECTRONIC REGISTRATION SYSTEMS, INC.*

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

KATHRYN E. WOLVERTON, DEBORAH GREENE, MICHAEL GREENE, individually and on behalf of each other herein.

Plaintiffs,

VS.

HSBC BANK USA, N.A.; HSBC MORTGAGE CORP. USA, a Delaware corporation; MERSCORP, INC., a Virginia corporation; MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., a Delaware corporation; MORTGAGEIT SECURITIES CORP., a subsidiary of DEUTSCHE BANK NATIONAL TRUST COMPANY; MORTGAGE LOAN TRUST SERIES 2007-1; MORTGAGE PASS-THROUGH CERTIFICATES, and Individuals 1 to 50, inclusive; and ROES Corporations 1 to 30, inclusive; and all other persons unknown claiming any right, title, estate, lien, or interest in the real property described in the Complaint adverse to Plaintiff's ownership, or any cloud upon Plaintiff's title thereto.

Defendants.

1. Meeting. Pursuant to Fed. R. Civ. P. 26(f) and LR 26-1(a), a meeting was held on July 13, 2010, and attended by Cassie R. Stratford, Esq. for Defendants Deutsche Bank

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1 National Trust Company; HSBC Bank USA, N.A.; HSBC Mortgage Corp. USA; Merscorp,
 2 Inc.; and Mortgage Electronic Registration Systems, Inc. (“Defendants”)¹

3 2. Discovery Plan. Defendants propose to the Court the following discovery plan:

4 (a) Subject of Discovery. Discovery will be needed on the following subjects: All
 5 claims set forth in the original Complaint, as well as the defenses relevant to the action.

6 (b) Discovery Cut-Off Dates. Discovery will take **180** days, measured from **May 13,**
 7 **2010**, which is the first date a Defendant answered or otherwise appeared in the case. The
 8 discovery cut-off date, therefore, will be **November 9, 2010**.

9 (c) FRCP 26(a)(2) Disclosures (Experts). Disclosure of experts shall proceed
 10 according to FRCP 26(a)(2) except that:

11 (1) The disclosure of experts and expert reports shall occur on **September 10,**
 12 **2010**, which is 60 days before the discovery cut-off date; and

13 (2) The disclosure of rebuttal experts and their reports shall occur on **October**
 14 **11, 2010**, which is the first judicial date after 30 days before the discovery cut-off date.

15 3. Other items.

16 (a) Amending the Pleadings and Adding Parties. The parties have until **August 11,**
 17 **2010**, to file any motion to amend the pleadings or to add parties. This is 90 days before the
 18 discovery cut-off date and does not exceed the outside limit LR 26-1(e)(2) presumptively sets for
 19 ninety (90) days before the discovery cut-off date of filing such motions.

20 (b) Interim Status Report. The parties shall file the interim status report required by
 21 LR 26-3 by **September 10, 2010**. The undersigned counsel certifies that they have read LR 26-3
 22 and that this date is not later than sixty (60) days before the discovery cut-off date.

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24 ¹ A copy of the Notice of 26(f) Case Conference was served via U.S. mail on Plaintiffs, Kathryn
 25 E. Wolverton, Deborah Green, and Michael Greene (“Plaintiffs”), on July 6, 2010. Plaintiffs
 26 failed to attend the conference or contact Defendants to re-schedule. Likewise, Plaintiffs did not
 27 file an opposition to *Defendant HSBC Bank USA, N.A., HSBC Mortgage Corp. USA,*
MERSCORP, INC., Mortgage Electronic Registration Systems, Inc., and Deutsche Bank National
Trust Company’s Motion to Dismiss and Release of the Lis Pendens, showing that they are not
 28 participating in their own case. Therefore, Defendants file this Discovery Plan and Scheduling
 Order independently.

1 (c) Dispositive Motions. The parties shall have until **December 9, 2010**, to file
 2 dispositive motions. This is thirty (30) days after the discovery cut-off date and does not exceed
 3 the outside limit of thirty (30) days following the discovery cut-off date that LR 26-1(e)(4)
 4 presumptively sets for filing dispositive motions.

5 (d) Settlement. Settlement was discussed, and all parties will continue to discuss
 6 possible resolution to this matter.

7 (e) Pretrial Order. The pretrial order shall be filed by **January 10, 2011**, which is not
 8 more than thirty (30) days after the date set for filing dispositive motions in the case. This case is
 9 suspended if the dispositive motions are timely filed. The disclosures required by FRCP 26(a)(3)
 10 shall be made in the joint pretrial order.

11 (f) Court Conference. The parties do not request a conference with the Court before
 12 entry of the scheduling order.

13 (g) Later Appearing Parties. A copy of this discovery plan and scheduling order shall
 14 be served on any person served after it is entered, or, if an additional defendant should appear,
 15 within five (5) days of their first appearance. This discovery plan and scheduling order shall
 16 apply to such later-appearing parties, unless the Court, on motion and for good cause shown
 17 orders otherwise.

18 (h) Extension or Modification of the Discovery Plan and Scheduling Order. LR 26-
 19 governs modifications or extensions of this discovery plan and scheduling order. Any stipulation
 20 or motion must be made not later than twenty (20) days before the discovery cut-off date and
 21 comply fully with LR 26-4.

22 Dated this 10 day of July, 2010.

SNELL & WILMER L.L.P.

23 By: C. Alexander
 24 Cynthia L. Alexander, Esq.
 25 Cassie R. Stratford, Esq.
 26 SNELL & WILMER L.L.P.
 27 3883 Howard Hughes Parkway, Suite 1100
 28 Las Vegas, NV 89169
 Attorneys for Defendants

ORDER

IT IS SO ORDERED.

1. Discovery will take 180 days, measured from **May 13, 2010**, which is the first date a Defendant answered or otherwise appeared in the case. The discovery cut-off date, therefore, will be **November 9, 2010**.

2. The disclosure of experts and expert reports shall occur on **September 10, 2010**, which is 60 days before the discovery cut-off date.

3. The disclosure of rebuttal experts and their reports shall occur on **October 11, 2010**, which is the first judicial day after 30 days before the discovery cut-off date.

4. Amending the Pleadings and Adding Parties. The parties shall have until **August 11, 2010** to file any motions to amend the pleadings or to add parties. This is 90 days before the discovery cut-off date for filing such motions.

5. Interim Status Report. The parties shall file the interim status report required by LR 26-3 by **September 10, 2010**. The undersigned parties certify that they have read LR 26-3 and that this date is not later than sixty (60) days before the discovery cut-off date.

6. Dispositive Motions. The parties shall have until **December 9, 2010**, to file dispositive motions. This is 30 days after the discovery cut-off date and does not exceed the outside limit of thirty (30) days following the discovery cut-off date that LR 26-1(e)(4) presumptively sets for filing dispositive motions.

7. Pretrial Order. The pretrial order shall be filed by **January 10, 2011**, which is not more than thirty (30) days after the date set for filing dispositive motions in this case. This deadline is suspended if a dispositive motion is timely filed. The disclosure required by Fed.R.Civ.P. 26(a)(3) shall be made in the joint pretrial order.

Dated this day of , 2010.

UNITED STATES DISTRICT JUDGE

1 **CERTIFICATE OF SERVICE**

2 I, the undersigned, declare under penalty of perjury, that I am over the age of eighteen
3 (18) years, and I am not a party to, nor interested in, this action. On this date, I caused to be
4 served a true and correct copy of the foregoing **DISCOVERY PLAN AND SCHEDULING**
5 **ORDER** by the method indicated and addressed to the following:

6 **U. S. Mail**

7 Kathryn E. Wolverton
8 Deborah Greene
9 Michael Greene
10 4660 Polaris Avenue
11 Las Vegas, NV 89103
12 Phone: (702) 683-5531
13 Fax: (702) 434-4036
14 *Plaintiffs Pro Se*

15 DATED this 16th day of July, 2010

16 
17 An employee of Snell & Wilmer L.L.P.

Snell & Wilmer
LLP
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